

**Amendments to the Title**

**Please amend the title as follows.**

~~TAMPER-PROOF, COLOR-SHIFT SECURITY FEATURE~~ A Forgery-Proof Security Element  
with Color Shift Effect

**Amendments to the Specification**

**Please replace the original specification with the enclosed substitute specification.**

### Amendments to the Claims

Claim 1 (**Currently Amended**) A forgery-proof ~~Forgery-proof security feature comprising element comprising:~~

~~at least one electromagnetic wave reflecting layer, one~~  
~~a polymeric spacer layer layer; and one~~  
~~a first layer formed of metal clusters each, located on a first side of the polymeric spacer layer; and~~  
~~a second layer formed of metal clusters located on a second side of the polymeric spacer layer, the second side being opposite to the first side,~~

~~wherein at least one or several of the polymeric spacer layer, the first layer formed of metal clusters, and the second layer formed of metal clusters layers, in addition to their function in the color shift effect provides a setup, fulfill further security functions feature selected from the group of an electrically conductive security feature, a luminescent security feature and a forensic security feature.~~

Claim 2 (**Currently Amended**) A forgery-proof ~~Forgery-proof security feature element~~ as claimed in claim 1, wherein at least one of the first and second layers formed of metal clusters is ~~a the electromagnetic wave reflecting layer and/or the cluster layer are partial layers layer.~~

Claim 3 (**Withdrawn – Currently Amended**) A forgery-proof ~~Forgery-proof security feature element~~ as claimed in claim ~~1~~ 1, wherein the polymeric spacer layer has a defined layer thickness ~~course or a step structuring stepped structure.~~

Claim 4 (**Withdrawn – Currently Amended**) A forgery-proof ~~Forgery-proof security feature element~~ as claimed in claim ~~1~~ 1, wherein the polymeric spacer layer ~~is comprised of several comprises a plurality of layers, each of which can have different layer thicknesses or different layer thickness courses.~~

Claim 5 (**Withdrawn – Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein the polymeric spacer layer ~~is comprised of several partial and/or all over~~ comprises a plurality of layers, each of the layers having a ~~with~~ different ~~indices~~ index of refraction.

Claim 6 (**Withdrawn – Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein the polymeric spacer layer is ~~applied~~ in the form of at least one of symbols and characters, patterns, lines and geometric forms.

Claim 7 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein ~~at least one layer of the polymeric spacer layer or the cover layer is comprised of~~ comprises a polymer with piezoelectric properties.

Claim 8 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein ~~at least one layer of the polymeric spacer layer has~~ at least one or several optically active ~~structures~~ structure.

Claim 9 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, further comprising a ~~wherein the carrier substrate comprises~~ including a transfer lacquer layer.

Claim 10 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein at least one of the first and second layers of metal clusters ~~comprises layer is comprised of~~ metal clusters of different metals.

Claim 11 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature element~~ as claimed in claim-~~1~~ 1, wherein at least one of the first and second ~~metal-cluster~~ layers of metal clusters has additional functional features.

Claim 12 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim 11, wherein at least one of the first and second-metal-cluster layers of metal clusters is additionally electrically conductive and/or magnetic and/or fluorescent.

Claim 13 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim-~~4~~ 1, wherein the forgery-proof security element-layer-system is individualized through an-the action of electromagnetic waves.

Claim 14 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim 13, wherein the forgery-proof security element-system is individualized through laser treatment.

Claim 15 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim-~~13~~ 13, wherein through the action of electromagnetic waves subsequent structuring is carried out.

Claim 16 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim 15, wherein through the structuring at least one of pictures, logos, writings, codes, symbols and characters ~~and the like~~ are generated.

Claim 17 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim 16, wherein through the structuring differently colored or colorless regions are obtained.

Claim 18 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim-~~4~~ 1, wherein-in the polymeric spacer layer-the has a fine structure-of-the from a printing die that is identifiable as a uniquely assignable feature.

Claim 19 (**Currently Amended**) A forgery-proof ~~Forgery-proof security-feature~~ element as claimed in claim-~~4~~ 1, further comprising a carrier substrate, wherein-the a security feature is

~~located on applied onto a substrate or is embedded in a the carrier~~ substrate, wherein the substrate optionally has an open area clearance, which is spanned by the security feature.

Claim 20 (Currently Amended) ~~A forgery-proof Forgery-proof security feature element~~ as claimed in claim ~~1~~ 1, wherein ~~the polymeric spacer layer, the first layer formed of metal clusters and the second layer formed of metal clusters generate through the disposition of several sequences of optionally differently structured spacer layers and cluster layers over an all over or partial reflection layer,~~ different color shift effects are generated.

Claim 21 (Currently Amended) ~~A sheet Sheet~~-material suitable for the production of a forgery-proof ~~identification feature~~ security element as claimed in claim 1.

Claim 22 (Currently Amended) ~~A sheet Sheet~~-material as claimed in claim 21, ~~further comprising provided on one or both sides, all over or partially with a protective lacquer layer located on at least a part of one side of the forgery-proof security element.~~

Claim 23 (Currently Amended) ~~A sheet Sheet~~-material as claimed in claim 22, wherein the protective lacquer layer is pigmented.

Claim 24 (Currently Amended) ~~A sheet Sheet~~-material as claimed in claim 21, ~~further comprising provided on one or both sides, all over or partially with a sealable adhesive coating located on at least a part of one side of the forgery-proof security element.~~

Claim 25 (Currently Amended) ~~A sheet Sheet~~-material as claimed in claim 24, wherein the ~~sealable~~ adhesive coating is pigmented.

Claim 26 (Withdrawn - Currently Amended) ~~A method Method for the production of producing a forgery-proof security feature element~~ as claimed in claim ~~1~~ 1, the method comprising:

applying, with an impression cylinder, the polymeric spacer layer having a defined thickness to the first layer formed of metal clusters; and

forming, with vacuum technology or a solvent-based system, the second layer formed of metal clusters to the polymeric spacer layer,

wherein the onto a carrier substrate a partial or all over electromagnetic wave reflecting layer and subsequently one or several partial and/or all over polymeric layers of defined thickness are applied by means of an impression cylinder, which has an unmistakable fine structure, whereupon onto the spacer layer a layer formed of metal clusters, which are formed by means of a method employing vacuum technology or out of solvent based systems, is applied.

**Claim 27 (Withdrawn - Currently Amended)** A method for producing of a forgery-proof security element Method as claimed in claim 26, 19, the method comprising:

forming, with vacuum technology or a solvent-based system, the first layer formed of metal clusters on the carrier substrate;

applying, with an impression cylinder, the polymeric spacer layer having a defined thickness to the first layer formed of metal clusters; and

forming, with vacuum technology or a solvent-based system, the second layer formed of metal clusters to the polymeric spacer layer,

wherein the onto a carrier substrate a layer formed of metal clusters, which are formed by means of a method employing vacuum technology, subsequently one or several partial and/or all over polymeric layers of defined, optionally varying, thickness are applied by means of an impression cylinder, which contains has an unmistakable fine structure, whereupon subsequently a partial or all over electromagnetic wave reflecting layer and thereon a further cluster layer are applied.

**Claim 28 (Withdrawn - Currently Amended)** A method Method as claimed in claim 26 26, further comprising applying wherein additionally a black background layer is applied to the forgery-proof security element.

Claim 29 (**Withdrawn - Currently Amended**) A method ~~Method~~ as claimed in claim ~~26~~ 28, wherein the polymeric spacer layer and/or the black background layer ~~are~~ is structured.

Claim 30 (**Withdrawn - Currently Amended**) A method ~~Method~~ as claimed in claim ~~26~~ 29, wherein the structuring of the polymeric spacer layer ~~or~~ and/or of the black background layer takes place by laser treatment.

Claim 31 (**Currently Amended**) A product comprising a forgery-proof security element as claimed in claim 1, the product being a bank note, a data medium, a security document, packaging, a label, a marker or a seal ~~Bank notes, data media, security documents, packagings, labels, markers or seals comprising the feature of claim 1.~~

Claim 32 (**Withdrawn - Currently Amended**) A method ~~Method~~ for verifying a forgery-proof security feature element as claimed in claim 1, the method comprising:  
detecting and identifying the security feature with an ~~wherein the different identification features are detected and identified using suitable evaluation devices~~ device.

Claim 33 (**Withdrawn - Currently Amended**) A method ~~Method~~ for verifying a forgery-proof security feature element as claimed in claim ~~32~~ 32, wherein the ~~identification features are detected and identified visually~~ detecting and identifying of the security feature comprise visually detecting and identifying the security feature.

Claim 34 (**Withdrawn - Currently Amended**) A method ~~Method~~ for verifying a forgery-proof security features element as claimed in claim ~~32~~ 32, wherein the detecting and identifying the security feature comprises detecting and identifying the forensic features ~~security feature are identified with suitable~~ a testing means device ~~in the~~ a laboratory or on site.

Claim 35 (**Withdrawn - Currently Amended**) A method ~~Method~~ as claimed in claim ~~34~~ 34, wherein the ~~said forensic features are~~ security feature is DNA, an isotope ~~isotopes~~ or a fine structure.